# INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Not for submission under 37 CFR 1.99) Application Number 09529172 Filing Date 2000-09-11 First Named Inventor Meir Edelman Art Unit 1638 Examiner Name A. D. Mehta Attorney Docket Number EDELMAN1

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	1	4459355		1984-07-10	Cello et al	
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	3	4588693		1986-05-13	Strobel	
	4	4658082		1987-04-14	Simpson et al	
	5	4693976		1987-09-15	Schilperoort et al	
	6	4762785		1988-08-09	Comai	
	7	4940838		1990-07-10	Schilperoort et al	
	8	4954442		1990-09-04	Gelvin et al	

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(	9	4956282	1990-09-11	Goodman et al	
	10	5102796	1992-04-07	Hall et al	
	11	5149645	1992-09-22	Hoekema et al	
	12	5164310	1992-11-17	Smith et al	
	13	5187073	1993-02-16	Goldman et al	
	14	5272072	1993-12-21	Kaneko et al	
	15	5464763	1995-11-07	Schilperoort et al	
	16	5501967	1996-03-26	Offringa et al	
	17	5504200	1996-04-02	Hall et al	
	18	5550038	1996-08-27	Goodman et al	
	19	5550318	1996-08-27	Adams et al	

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20	5569597	1996-10-29	Grimsley et al	
21	5591605	1997-01-07	Hall et al	
22	5591616	1997-01-07	Hiei et al	
23	5612487	1997-03-18	Lam et al	
24	5629175	1997-05-13	Goodman et al	
25	5635381	1997-06-03	Hooykaas et al	
26	5639947	1997-06-17	Hiatt et al	
27	5641664	1997-06-24	D'Halluin et al	
28	5650307	1997-07-22	Sijmons et al	
29	5677474	1997-10-14	Rogers	
30	5679558	1997-10-21	Gobel et al	

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	31	5693512	1997-12-02	Finer et al	
,	32	5712135	1998-01-27	D'Halluin et al	
	33	5716802	1998-02-10	Sijmons et al	
	34	5723755	1998-03-03	Fortin	
	35	5731179	1998-03-24	Komari et al	
,	36	5792935	1998-08-11	Arntzen et al	
	37	5874265	1999-02-23	Adams et al	
	38	5886244	1999-03-23	Tomes et al	
	39	5888789	1999-03-30	Rodriguez	
	40	5914123	1999-06-22	Arntzen et al	
	41	4761373	1988-08-02	Anderson et al	

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	42	4940838		1990-07-10	Schilperoort et al	
	43	5591615		1997-01-07	Oester et al	
	44	5712135		1998-01-27	D'Halluin et aL	
	45	5773693		1998-06-30	Burgess et al	
	46	5777200		1998-07-07	Ryals et al	
	47	5202422		1993-04-13	Hiatt et al	
	48	5380831		1995-01-10	Adang et al	
	49	5717084		1998-02-10	Herrera-Estrella et al	
	50	5633435		1997-05-27	Barry et al	
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	1	86/03776	wo	A1	1986-07-03	Hernalsteens et al		
	2	95/06722	wo	A2	1995-03-09	Saito et al		
	3	98/37212	wo	A1	1998-08-27	D'Halluin et al		
	4	0 270 356	EP	A2	1988-06-08	McCabe et al		
	5	0 359 472	EP	B1	1995-12-29	Adang et al		
	6	0 385 962	EP	B1	1990-09-05	Fischoff et al	See U.S. Patent No. 5,500,365 to Fischoff et al	
	7	0 604 662	EP	A1	1994-07-06	Hiei et al		
	8	0 672 752	EP	A1	1995-09-20	Saito et al		

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				<u> </u>				
	9	0 504 869	EP	A2	1992-09-23	Saito et al		
	10	04-222527	JP	А	1992-08-12	Komari et al		
	11	87/04181	wo	A1	1987-07-16	Stalker et al		
	12	91/16432	wo	A1	1991-10-31	Cornelissen et al		
	13	0 633 317	EP	A1	1995-01-11	Atanassova et al	See US 6313282	
	14	0 255 378	EP	A2	1988-02-03	Kridi et al		
	15	0 242 236	EP	A1	1987-10-21	Leemans et al		
	16	0 507 698	EP	A1	1992-10-07	Leroux et al		
	17	02/10414	WO	A2	2002-02-02	Stomp et al		
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	1	ALLISON et al, "The Nucleotide Sequence of the Coding Region of Tobacco Etch Virus," Virology 154:9-20 (1986)	
	2	APPENROTH et al, "Effects of Light Quality on Amino Acid Composition of Proteins in Wolffia airrhiza (L.) using a Specially Modified Bradford Method," Biochem Physiol Pflanzen 117:251-258 (1982)	
	3	ATCC, Accession No. 37394	
	4	BAIM et al, "A Chimeric Mammalian transactivator based on the lac repressor that is regulated by temperature and isopropyl β-D-thiogalactopyranoside," Proc Natl Acad Sci USA 88:5076 (June 1991)	
	5	BALLAS et al, "Efficient functioning of plant promoters and poly (A) sites in Xenopus oocytes," Nucleic Acids Res 17:7891-7903 (1989)	
	6	BARKLEY et al, "Repressor Recognition of Operator and Effectors," The Operon, 177-220 (1980)	
	7	BOYNTON et al, "Chloroplast Transformation in Chlamydomonas with High Velocity Microprojectiles," Science 240:1534-1538 (1988)	
	8	BRETAGNE-SAGNARD et al, "Selection of Transgenic flax plants is facilitated by spectinomycin," Transgenic Research 5:131-137 (1996)	
	9	BROWN et al, "lac Repressor Can Regulate Expression from a Hybrid SV40 Early Promoter Containing A lac Operator in Animal Cells," Cell, 49:603-612 (June 5, 1987)	
	10	BUCHANAN-WOLLASTRON et al, "Detoxification of the Herbicide Dalapon by Transformed Plants," J Cellular Biochem p. 330 (March 27-April 7, 1989)	

Application Number		09529172
Filing Date		2000-09-11
First Named Inventor Meir		Edelman
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Examiner Name A. D.		Mehta
Attorney Docket Number		EDELMAN1

11	CHILTON et al, "Agrobacterium tumefaciens DNA and PS8 Bacteriophage DNA Not Detected in Crown Gall Tumors," Proc Nat Acad Sci USA 71:3672-3676 (September 1974)	
12	CHILTON et al, "Agrobacterium gene transfer: Progress on a "poor man's vector" for maize," Proc Nat Acad Sci USA 90:3119-3120 (April 1993)	
13	CHRISTOPHERSON et al, "Ecdysteroid-dependent regulation of genes in mammalian cells by a Drosophila ecdysone receptor and chimeric transactivators," Proc Nat Acad Sci USA 89:6314-6318 (July 1992)	
14	CHRISTOU et al, "Stable Transformation of Soybean Callus by DNA-Coated Gold Particles," Plant Physiol 87:671-674 (1988)	
15	CHU et al, "Establishment Of An Efficient Medium For Another Culture Of Rice Through Comparative Experiments On The Nitrogen Sources," Scientia Sinica XVIII:659-668 (1975)	
16	COMAI et al, "Expression in plants of a mutant aroA gene from Salmonella typhimurium confers tolerance to glyphosate," Nature 317:741-744 (1985)	
17	CRAWFORD et al, "Allozyme Studies in Spirodela (Lemnaceae) Variation Among Conspecific Clones and Divergence Among the Species," Systematic Botany 18:389-394 (1993)	
18	DATKO et al, "Lemna paucicostata Hegelm. 6746," Plant Physiol 65:16 (1970)	
19	DEBLOCK et al, "Engineering herbicide resistance in plants by expression of a detoxifying enzyme," EMBO J 6:2513-2518 (1987)	
20	CHANG et al, "Induction of Callus From Fronds of Duckweed (Lemna gibba L.)," Bot Bull Academia Sinica 17:106 (1976)	
21	DEFOSSARD et al, "Tissue Culture For Plant Propagators," Chap. 6, pp. 132-152, Dept. of Botany, The University of New England, Australia, June 1976	

Application Number		09529172	
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First Named Inventor Meir		Edelman	
Art Unit		1638	
Examiner Name A. D.		Mehta	
Attorney Docket Number		EDELMAN1	

22	DEGENKOLB et al, "Structural Requirements of Tetracycline-Tet Repressor Interaction Determination of Equilibrium Binding Constants for Tetracycline Analogs with the Repressor," Antimicrobial Agents and Chemotherapy, 35:1591-1595 (1991)	
23	DEKEYSER et al, "Transient Gene Expression in Intact and Organized Rice Tissues," Plant Cell 2:591-602 (July 1990)	
24	DELLA-CIOPPA et al, "Protein Trafficking in Plant Cells," Plant Physiol 84:965-968 (1987)	
25	DEUSCHLE et al, "Regulated Expression of foreign genes in mammalian cells under the control of coliphage T3 RNA polymerase and lac repressor," Pro Nat Acad Sci USA 86:5400-5404 (July,1989)	
26	DEUSCHLE et al, "RNA Polymerase II Transcription Blocked by Escherichia coli Lac Repressor," Science 248:480-483 (1990)	
27	D'HALLUIN et al, "Transgenic Maize Plants by Tissue Electroporation," Plant Cell, 4:1495-1505 (December 1992)	
28	DOYLE et al, "Natural Interspecific Hybridization in Eastern North American Claytonia," Amer J Bot 75(8): 1238-1246 (1988)	
29	DUNCAN et al, "The production of callus capable of plant regeneration from immature embryos of numerous Zea mays genotypes," Plants 165: 322-332 (1985)	
30	DURING et al, "Synthesis and self-assembly of a functional mono clonal antibody in transgenic Nicotiana tabacum," Plant Molecular Biology 15:281-293 (1990)	
31	ELROY-STEIN et al, "Cap-Independent Translation of mRNA Conferred by Encephalomyocarditis Virus 5' Sequence Improves the Performance of the Vaccinia Virus/Bacteriophage T7 Hybrid Expression System," Proc Natl Acad Sci USA 86(16):6126-6130 (1989)	
32	FIGGE et al, "Stringent Regulation of Stably Integrated Chloramphenicol Acetyl Transferase Genes by E. coli lac Repressor in Monkey Cells,: Cell 52:713-722 (March 11, 1988)	

Application Number		09529172	
Filing Date		2000-09-11	
First Named Inventor Meir		Edelman	
Art Unit		1638	
Examiner Name A. D.		Mehta	
Attorney Docket Number		EDELMAN1	

33	FRALEY et al, "Genetic Transformation in Higher Plants," CRC Critical Reviews in Plant Sciences 4(1):1-46 (1986)	
34	FRICK et al, "Callogenesis and Carbohydrate Utilization in Lemna minor," J Plant Physiol 137:397-401 (1991)	
35	FROMM et al, "Inheritance and Expression of Chimeric Genes in the Progeny of Transgenic Maize Plants," BioTechnology 8:833-839 (1990)	
36	FUERST et al, "Transfer of the inducible lac repressor operator system from Escherichia coli to a vaccinia virus expression vector," Proc Natl Acad Sc. USA 86:2549-2553 (April 1989)	
37	GALLIE et al, "Eukaryotic Viral 5'-Leader Sequences Act as Translational Enhancers in Eukaryotes and Prokaryotes," Molecular Biology of RNA, pp. 237-256 (April 1989)	
38	GATZ et al, "Stringent repression and homogeneous Drepression by tetracycline of a modified CaMV 35S promoter in intact transgenic tobacco plants," The Plant Journal 2(3):397-404 (1992)	
39	GILL et al, "Negative effect of the transcriptional activator GAL4," Nature 334:721-724 (1988)	
40	GODDIJIN et al, "A chimaeric tryptophan decarboxylase gene as a novel selectable marker in plant cells," Plant Molecular Biology 22:907-912 (1993)	
41	GORDON-KAMM et al, "Transformation of Maize Cells and Regeneration of Fertile Transgenic Plants," The Plant Cell 2:603-618 (July 1990)	
42	GOSSEN et al, "Tight control of gene expression in mammalian cells by tetracycline-responsive promoters," Proc Natl Acad Sci USA 89:5547-5551 (1992)	
43	GUERINEAU et al, "Effect of deletions in the cauliflower mosaic virus, polyadenylation sequence on the choice of the polyadenylation sites in tobacco protoplasts," Mol Gen Genet 226:141-144 (1991)	

Application Number		09529172
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First Named Inventor Meir I		Edelman
Art Unit		1638
Examiner Name A. D.		Mehta
Attorney Docket Number		EDELMAN1

	44	GUERINEAU et al, "Sulfonamide resistance gene for plant transformation," Plant Molecular Biology 15:127-136 (1990)						
	45	STOMP, "Histochemical Localization of β-Glucuronidase," GUS Protocols: Using the GUS Gene as a Reporter of Gene Expression, Ed. Gallager, pp. 103-113, Academic Press, Inc. (1992)						
	46	JEFFERSON et al, "GUS fusions: β-glucuronidase as a sensitive and versatile gene fusion marker in higher plants," EMBO J 6(13):3901-3907 (1987)						
	47	HAUGHN et al, "Transformation with a mutant Arabidopsis acetolactate synthase gene renders tobacco resistant to sulfonylurea herbicides," Mol Gen Genet. 211(2):266-271 (1988)						
	48	HEPBURN et al, "The Use of pNJ5000 as an Intermediate Vector for the Genetic Manipulation of Agrobacterium Tiplasmids," J Gen Microbiol 131:2961-2969 (1985)						
	49	HERRERA-ESTRELLA et al, "Chimeric genes as dominant selectable markers in plant cells," EMBO J 2(6): 987-995 (1983)						
	50	HERRAERA-ESTRELLA et al, "Expression of chimaeric genes transferred into plant cells using a Ti-plasmid-derived vector," Nature 303:209-213 (1983)						
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